

CITY OF ISSAQUAH

MITIGATED DETERMINATION OF NONSIGNIFICANCE (MDNS)

Description of Proposal: The City of Issaquah proposes Phase 2 improvements to Confluence Park. The objective of Phase 2 is to restore stream processes and improve riparian habitat on Issaquah Creek and the East Fork of Issaquah Creek. The project would remove rock armoring of streambanks, regrade streambanks and create high-flow terraces below the ordinary high water mark (OHWM), restore connectivity between Issaquah Creek and two former oxbows, install large woody debris, place stream habitat substrate (gravels and cobbles), and plant the 100-foot stream buffer with native, riparian species. The proposed Phase 2 improvements are consistent with the previously approved Confluence Park Master Site Plan (MSP).

Proponent: City of Issaquah

Contacts:	City of Issaquah Parks & Rec. Dept. P.O. Box 1307 Issaquah, Washington 98027 Attn: Anne McGill	City of Issaquah Public Works Engineering P.O. Box 1307 Issaquah, Washington 98027 Attn: Kerry Ritland
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Permit Number: SHO13-00005 - Confluence Park – Phase 2

Lead Agency: City of Issaquah

Location of Proposal: 595 Rainier Blvd N

Determination: The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

Comment/Appeal Period: The Mitigated Determination of Nonsignificance is issued under WAC 197-11-340(2) and 197-11-680(3)(a)vii, and is based on the proposal being conditioned as indicated below. There is a combined 21-day comment/appeal period for this determination, between **August 14, 2013 and September 4, 2013**. Anyone wishing to comment may submit written comments to the Responsible Official between **August 14, 2013 and August 28, 2013**. The Responsible Official will reconsider the determination based on timely comments. The lead agency will not act on this proposal for 14 days. Any person aggrieved by this determination may appeal by filing a Notice of Appeal with the City of Issaquah Permit Center between **August 29, 2013 and September 4, 2013**. Appellants should prepare specific factual objections. Copies of the environmental determination and other project application materials are available from the Issaquah Development Services Department, 1775 12th Avenue NW.

Appeals of this SEPA determination must be consolidated with appeal of the underlying permit, per IMC 18.04.250.

Notes:

- 1) This threshold determination is based on review of the following documents and plans: 90% Construction Documents including existing conditions plan, temporary erosion and sedimentation control (TESC) plan, grading/restoration plan, log structure plan and details, and planting plan dated January 2013; environmental checklist received May 23, 2012, JARPA application received February 25, 2013; Archaeological Resource Assessment (ESA Paragon) dated July 2012; and other documents in the file. Information from the Confluence Park Master Site Plan (MSP) application

including the *Wetland and Streams Critical Areas Assessment* (Anchor QEA, August 2011) was also reviewed.

- 2) Issuance of this threshold determination does not constitute approval of the permit. The proposal will be reviewed for compliance with all applicable City of Issaquah codes, which regulate development activities, including the Shoreline Master Program, Land Use Code, Critical Area Regulations, Clearing and Grading Ordinance, and Surface Water Design Manual.

Findings:

1. The proposed Phase 2 improvements are part of the multi-phased implementation of the Confluence Park Master Site Plan (MSP). The Confluence Park MSP went through previous SEPA review (MDNS issued on December 21, 2011) and City Council approval of the MSP. A mitigation measure required that each construction phase be reviewed through SEPA and shoreline permits because there wasn't sufficient information to evaluate construction-related impacts with the MSP application. The proposed Phase 2 improvements are consistent with the approved MSP.
2. The primary purpose of Phase 2 to restore stream processes and improve riparian habitat on Issaquah Creek and the East Fork of Issaquah Creek. The proposal targets restoration of spawning, rearing, food production, and refuge habitat for anadromous salmon. The project addresses salmon recovery objectives identified in the *Lake Washington/Cedar River/Sammamish Watershed (WRIA 8) Chinook Salmon Conservation Plan* (WRIA 8 2005) and the *Three-Year Work Plan WRIA 8 Watershed Implementation Priorities* (WRIA 8 2011). It is also consistent with the City of Issaquah's restoration plans and policies including the *Stream and Riparian Areas Restoration Plan* (November 2006) and the *Shoreline Master Program* (March 2013). The project design has been through extensive review and coordination with the WRIA 8 technical panels, the Salmon Recovery Funding Board (SRFB), the Army Corps of Engineer Regulatory Branch (USACE), Washington Department of Fish and Wildlife (WDFW), Washington Department of Ecology, and the Muckleshoot Indian Tribe.
3. Existing on-site stream and riparian habitat conditions along both streams have been historically degraded due to agriculture, logging, and land-clearing activities. Major segments of the Issaquah Creek and East Fork streambanks are heavily armored and the resulting channel confinement has disrupted floodplain connectivity and eliminated or significantly reduced off-channel habitat. Large woody debris is lacking and riparian buffer vegetation is limited. The proposal would address these existing conditions to restore a more natural channel configuration and natural stream processes, improve connections to the floodplain, create off-channel habitat and enhance stream buffer vegetation.
4. The project would improve the connection between Issaquah Creek and an existing wetland (Wetland C) by grading to lower the outlet by 2 feet. This would result in minor additional flows into the wetland. The changes to wetland hydrology would not result in significant changes to the existing vegetation community within the wetland.
5. Construction impacts would be minimized by using existing gravel roads for access, limiting in-stream work to timing approved by the USACE and WDFW (generally July 1 to August 31), and implementing best management practices (BMPs) to prevent sedimentation and other deleterious materials from entering waters.
6. Buried rock trenches would be installed (using rock from stream armoring removal) to prevent major channel migration, which could potentially result in significant damage to City infrastructure and property. The rock trenches are located to the north of the north oxbow to prevent channel migration toward NW Holly Street and north of the East Fork channel widening to prevent stream movement

from impacting park facilities including the picnic shelter and relocated Anderson Farmhouse. The rock trenches would be located outside the 100-foot stream buffer.

7. The proposal shows saving several large existing trees in graded areas within or adjacent to the stream channel to retain cover and habitat. A 54-inch Cottonwood is shown to be protected in the north oxbow reconnection area, and a 96-inch Maple and 42-inch Cottonwood would be retained in the grading to widen the East Fork. The City arborist or other qualified arborist should review the viability of saving the trees and recommend specific tree protection measures during construction. Tree protection measures should be installed prior to grading activities. If these trees cannot be retained or if the trees become hazards as a result of the construction activity, the trees should be utilized as large woody debris or retained on-site as habitat features.
8. The 100-foot stream buffer of Issaquah Creek and the East Fork would be revegetated with native tree and shrub species. The planting plan shows a regular, symmetrical spacing of trees and shrubs. The plantings should be installed to mimic natural, asymmetrical vegetation patterns found on undisturbed sites. A wetland consultant/biologist or other qualified professional should be on-site to review the layout of the planting prior to installation to ensure a naturalistic pattern of planting.
9. A 5-year monitoring/maintenance period is required to ensure successful establishment of the restoration. Performance measures should address plant survival, specie diversity and coverage, invasive plant cover, stability of in-stream large woody debris structures, and wildlife use. A monitoring/maintenance plan shall be based on an as-built plan. An as-built plan and monitoring/maintenance plan shall be submitted and approved prior to final approval of construction permits.
10. An archaeological resources assessment (ESA Paragon, July 2012) was conducted on the site and there was no clear evidence of ethnohistoric Native American use of the site and no identification of historic artifacts. If cultural resource materials are observed or encountered during construction activity, work should be temporarily stopped and a professional archaeologist consulted.
11. The proposal will require a Hydraulic Project Approval (HPA) issued by the Washington Department of Fish and Wildlife (WDFW) and approval by the U.S. Army Corps of Engineers. The HPA will include measures for Best Management Practices (BMPs) for erosion control and spill prevention, construction sequencing, limiting the seasonal timing of construction work, and other mitigation measures. A copy of the approved HPA and Corps approval shall be provided to the City prior to issuance of construction permits.

Mitigation Measures: The Mitigated Determination of Nonsignificance is based on the checklist dated May 23, 2013 and supplemental information in the application. The following SEPA mitigation measures shall be deemed conditions of the approval of the licensing decision pursuant to Chapter 18.10 of the Issaquah Land Use Code. All conditions are based on policies adopted by reference in the Land Use Code.

1. The proposal shows saving several large existing trees in graded areas within or adjacent to the stream channel to retain cover and habitat. A 54-inch Cottonwood is shown to be protected in the north oxbow reconnection area, and a 96-inch Maple and 42-inch Cottonwood would be retained in the grading to widen the East Fork. The City arborist or other qualified arborist shall review the viability of saving the trees and recommend specific tree protection measures during construction. Tree protection measures shall be installed prior to grading activities. If these trees cannot be retained or if the trees become hazards as a result of the construction activity, the trees shall be utilized as large woody debris or retained on-site as habitat features.

2. The planting plan shows a regular, symmetrical spacing of trees and shrubs. The plantings shall be installed to mimic natural, asymmetrical vegetation patterns found on undisturbed sites. A wetland consultant/biologist or other qualified professional shall be on-site to review the layout of the planting prior to installation to ensure a naturalistic pattern of planting.
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Responsible Official:

Peter Rosen

Position/Title:

Environmental Planner/SEPA Responsible Official

Address/Phone:

P.O. Box 1307, Issaquah, WA 98027-1307 (425) 837-3094

Date: 8/14/2013

Signature:



cc: Washington State Department of Ecology
Muckleshoot Indian Tribe
U.S. Army Corps of Engineers
Washington State Department of Fish and Wildlife
Issaquah Development Services Department
Issaquah Public Works Engineering Department